I TENT COOPERATION TREATY

	From the INTERNATIONAL BUREAU
PCT	То:
101	Determine
NOTIFICATION OF ELECTION	Assistant Commissioner for Patents United States Patent and Trademark
(PCT Rule 61.2)	Office
	Box PCT Washington, D.C.20231
	ETATS-UNIS D'AMERIQUE
Date of mailing (day/month/year)	in its capacity as elected Office
25 October 2000 (25.10.00)	Applicant's or agent's file reference
International application No. PCT/US00/02198	MCA-389 PC
International filing date (day/month/year)	Priority date (day/month/year)
27 January 2000 (27.01.00)	29 January 1999 (29.01.99)
Applicant	
CHENG, Kwok-Shun et al	
1. The designated Office is hereby notified of its election mad	e:
X in the demand filed with the International Preliminar	y Examining Authority on:
10 August 200	
	and and Russell on
in a notice effecting later election filed with the Inter	national buleau VII.
2. The election X was	
was not	and the standard
	date or, where Rule 32 applies, within the time limit under
Rule 32.2(b).	
The International Bureau of WIPO	Authorized officer R. Forax
34, chemin des Colombettes 1211 Geneva 20, Switzerland	
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

From the INTERNATIONAL SEARCHING AUTHORITY

MILLIPORE CORPORATION

PCT

NOTIFICATION OF TRANSMITTAL OF

Attn. HUBBARD, J. 80 Ashby Road Bedford, Massachusetts 01730 UNITED STATES OF AMERICA	OR THE DECLARATION (PCT Rule 44.1)	
	Date of mailing (day/month/year) 19/07/2000	
Applicant's or agent's file reference MCA-389 PC	FOR FURTHER ACTION See paragraphs 1 and 4 below	
International application No. PCT/US 00/02198	International filing date (day/month/year) 27/01/2000	
Applicant MILLIPORE CORPORATION et al.		
Filing of amendments and statement under Article 19: The applicant is entitled, if he so wishes, to amend the clair When? The time limit for filing such amendments is norm International Search Report; however, for more deadled. Where? Directly to the International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Fascimile No.: (41–22) 740.14.33 For more detailed instructions, see the notes on the account of the applicant is hereby notified that no International Search Article 17(2)(a) to that effect is transmitted herewith. 3. With regard to the protest against payment of (an) additional the protest together with the decision thereon has been applicant's request to forward the texts of both the protest.	ally 2 months from the date of transmittal of the etails, see the notes on the accompanying sheet. 5 ompanying sheet. th Report will be established and that the declaration under conal fee(s) under Rule 40.2, the applicant is notified that: en transmitted to the International Bureau together with the otest and the decision thereon to the designated Offices.	
 4. Further action(s): The applicant is reminded of the following: Shortly after 18 months from the priority date, the international actions. 	oplication will be published by the International Burgary	
If the applicant wishes to avoid or postpone publication, a notice priority claim, must reach the International Bureau as provided completion of the technical preparations for international public. Within 19 months from the priority date, a demand for internation	e of withdrawal of the international application, or of the in Rules 90 <i>bis</i> .1 and 90 <i>bis</i> .3, respectively, before the ation.	
wishes to postpone the entry into the national phase until 30 mo Within 20 months from the priority date, the applicant must perfo before all designated Offices which have not been elected in the priority date or could not be elected because they are not bound	onths from the priority date (in some Offices even later). rm the prescribed acts for entry into the national phase le demand or in a later election within 19 months from the	

- 1		
	Name and mailing address of the International Searching Authority	Authorized officer
	European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Renate Jordan



INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	(Form PCT/ISA/2	f Transmittal of International Search Report 20) as well as, where applicable, item 5 below.		
MCA-389 PC	ACTION			
International application No.	International filing date (day/month/year)	(Earliest) Priority Date (day/month/year)		
PCT/US 00/02198	27/01/2000	29/01/1999		
Applicant				
MILLIDODE CODDODATION -+	-1 *			
MILLIPORE CORPORATION et	aı.			
This International Search Report has been according to Article 18. A copy is being tra	n prepared by this International Searching Auth ansmitted to the International Bureau.	nority and is transmitted to the applicant		
This International Search Report consists X It is also accompanied by	of a total of sheets. a copy of each prior art document cited in this	report.		
Basis of the report				
	international search was carried out on the bas less otherwise indicated under this item.	sis of the international application in the		
the international search w Authority (Rule 23.1(b)).	vas carried out on the basis of a translation of the	he international application furnished to this		
was carried out on the basis of th	e sequence listing:	sternational application, the international search		
	onal application in written form. ernational application in computer readable forr	n.		
filed together with the international application in computer readable form. furnished subsequently to this Authority in written form.				
furnished subsequently to this Authority in computer readble form.				
the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.				
the statement that the infe furnished	ormation recorded in computer readable form is	s identical to the written sequence listing has been		
2. Certain claims were fou	nd unsearchable (See Box I).			
3. Unity of Invention is lac	king (see Box II).			
4. With regard to the title,	,			
X the text is approved as su	ubmitted by the applicant.			
the text has been establis	shed by this Authority to read as follows:			
5. With regard to the abstract,				
X the text is approved as su	ubmitted by the applicant.			
	shed, according to Rule 38.2(b), by this Authori e date of mailing of this international search rep			
6. The figure of the drawings to be pub	lished with the abstract is Figure No.			
as suggested by the appl	icant.	None of the figures.		
because the applicant fail				
because this figure better	characterizes the invention.			

NATIONAL SEARCH REPORT

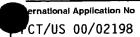
formation on patent family members

ernational Application No CT/US 00/02198

				7 01/03	00/02198
Patent document cited in search report	t	Publication date		Patent family member(s)	Publication date
US 5032274	A	16-07-1991	US US DE DE	4902456 A 4990294 A 68923319 D 68923319 T	20-02-1990 05-02-1991 10-08-1995 04-01-1996
			EP JP	0340732 A 2548092 B	08-11-1989 30-10-1996
			JP	8034874 A	06-02-1996
			JP JP	2208329 A 2573524 B	17-08-1990 22-01-1997
			US	4906377 A	06-03-1990
EP 343247	Α	29-11-1989	JP	1034407 A	03-02-1989 21-10-1994
			JP JP	1880117 C 4068010 B	30-10-1992
			JP	1034408 A	03-02-1989
	,		JP JP	1872522 C 4068011 B	26-09-1994 30-10-1992
			JP	1129043 A	22-05-1989
			JP	1956346 C	28-07-1995
			JP DE	6070155 B 3878899 A	07-09-1994 08-04-1993
			DE	3878899 T	22-07-1993
			WO	8900879 A	09-02-1989
			US US	5158680 A 5286324 A	27-10-1992 15-02-1994
US 4990294	Α	 05-02-1991	US	4902456 A	20-02-1990
			US	5032274 A	16-07-1991 10-08-1995
			DE DE	68923319 D 68923319 T	04-01-1996
			EP	0340732 A	08-11-1989
			JP	2548092 B	30-10-1996 06-02-1996
			JP JP	8034874 A 2208329 A	17-08-1990
			JP	2573524 B	22-01-1997
			US	4906377 A	06-03-1990
EP 340732	Α	08-11-1989	US DE	4902456 A 68923319 D	20-02-1990 10-08-1995
			DE	68923319 T	04-01-1996
			JP	2548092 B	30-10-1996 06-02-1996
			JP JP	8034874 A 2208329 A	17-08-1990
			JP	2573524 B	22-01-1997
			US	4906377 A	06-03-1990
			US US	4990294 A 5032274 A	05-02-1991 16-07-1991
US 4902456	Α	20-02-1990	DE	68923319 D	10-08-1995
			DE Ep	68923319 T 0340732 A	04-01-1996 08-11-1989
			JP	2548092 B	30-10-1996
			JP	8034874 A	06-02-1996
			JP JP	2208329 A 2573524 B	17-08-1990 22-01-1997
			US	4906377 A	06-03-1990
			US	4990294 A	05-02-1991
			US	5032274 A	16-07-1991

NATIONAL SEARCH REPORT





A. CLAS CLASSIFICATION OF SUBJECT MATTER B01D71/36 D01D5/24 B01D69/08 B01D67/00 According to International Patent Classification (IPC) or to both national classification and IPC **B. FIELDS SEARCHED** Minimum documentation searched (classification system followed by classification symbols) IPC 7 B01D D01D Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practical, search terms used) WPI Data, PAJ, EPO-Internal C. DOCUMENTS CONSIDERED TO BE RELEVANT Relevant to claim No. Citation of document, with indication, where appropriate, of the relevant passages 1-6 US 5 032 274 A (L.Y.YEN ET AL) Α 16 July 1991 (1991-07-16) cited in the application claims; examples 1 - 29EP 0 343 247 A (TORAY INDUSTRIES, INC) Α 29 November 1989 (1989-11-29) claims; examples & US 5 158 680 A 27 October 1992 (1992-10-27) cited in the application US 4 990 294 A (L.Y.YEN ET AL) 7-19 Α 5 February 1991 (1991-02-05) cited in the application claims; examples Further documents are listed in the continuation of box C. Patent family members are listed in annex. Special categories of cited documents: "T" later document published after the international filing date or priority date and not in conflict with the application but "A" document defining the general state of the art which is not considered to be of particular relevance cited to understand the principle or theory underlying the "E" earlier document but published on or after the international "X" document of particular relevance; the claimed invention filing date cannot be considered novel or cannot be considered to document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified) involve an inventive step when the document is taken alone "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled "O" document referring to an oral disclosure, use, exhibition or document published prior to the international filing date but later than the priority date claimed in the art. "&" document member of the same patent family Date of the actual completion of the international search Date of mailing of the international search report 19/07/2000 11 July 2000 Authorized officer Name and mailing address of the ISA European Patent Office, P.B. 5818 Patentlaan 2 NL - 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016 Cordero Alvarez, M

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cT/US 00/02198

	ation) DOCUMENTS CONSIDERED TO BE RELEVANT	Relevant to claim No.
Category °	Citation of document, with indication, where appropriate, of the relevant passages	neievani io daini ivo.
A	EP 0 340 732 A (MILLIPORE CORPORATION) 8 November 1989 (1989-11-08) claims; examples & US 4 906 377 A 6 March 1990 (1990-03-06) cited in the application & US 4 990 294 A cited in the application & US 5 032 274 A cited in the application	1-29
Α	US 4 902 456 A (L.Y.YEN ET AL) 20 February 1990 (1990-02-20) claims; examples	7–19

1

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international pbulication. Furthermore, it should be emphasized that provisional protection is available in some States only.

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been is filed, see below.

How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

- [Where originally there were 48 claims and after amendment of some claims there are 51]:
 *Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers;
 claims 30, 33 and 36 unchanged; new claims 49 to 51 added.*
- [Where originally there were 15 claims and after amendment of all claims there are 11]: "Claims 1 to 15 replaced by amended claims 1 to 11."
- (Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims):

 "Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
 "Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
- 4. [Where various kinds of amendments are made]: "Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

"Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

it must be in the language in which the international appplication is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

PATENT COOPERATION TRE

Ws.

From the INTERNATIONAL PRELIMINARY EXA	MINING AUTHORITY	INGEGANGE	TAL ?	
To:		NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT Rule 71.1)		
		Date of mailing (day/month/year)	10.04.2001	
Applicant's or agent's file reference MCA-389 PC		IMI	PORTANT NOTIFICATION	
International application No. International filing date (d 27/01/2000		ay/month/year)	Priority date (day/month/year) 29/01/1999	
Applicant MILLIPORE CORPORATION et al.				

- 1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
- 2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
- 3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/

Authorized officer Fuerbass, C

European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465

Tel.+49 89 2399-8132



PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's	or agent's file reference		See Notification of Transmittal of International
MCA-389	PC	FOR FURTHER ACTION	Preliminary Examination Report (Form PCT/IPEA/416)
Internationa	application No.	International filing date (day/month	n/year) Priority date (day/month/year)
PCT/US0	0/02198	27/01/2000	29/01/1999
B01D71/0	I Patent Classification (IPC) or n	national classification and IPC	-
Applicant MILLIPO	RE CORPORATION et al		
1. This in and is	nternational preliminary exa transmitted to the applican	mination report has been prepare t according to Article 36.	d by this International Preliminary Examining Authority
2. This f	REPORT consists of a total	of 7 sheets, including this cover s	sheet.
b	een amended and are the b	ied by ANNEXES, i.e. sheets of the asis for this report and/or sheets 607 of the Administrative Instruct	ne description, claims and/or drawings which have containing rectifications made before this Authority ions under the PCT).
These	e annexes consist of a total	of sheets.	
3. This	report contains indications re	elating to the following items:	
	_	•	
1	☐ Basis of the report		
11	☐ Priority	forming with paged to povolty in	ventive step and industrial applicability
111	_		iventive step and industrial applicability
V	☐ Lack of unity of inver☐ ☐ Reasoned statement		novelty, inventive step or industrial applicability;
VI	☐ Certain documents		
VII		e international application	
VIII		on the international application	
Date of su	bmission of the demand	Date o	of completion of this report
10/08/20	000	10.04	2001
	mailing address of the Internati	onal Autho	rized officer
<u></u>	 European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523 		ne, H
	Fav. ±49 89 2399 - 0 1X: 523	•	2000 No. +40 80 2300 7510

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/02198

ı.	Bas	is of the report						
1.	the and	With regard to the elements of the international application (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)): Description, pages:						
	1-32	2	as originally filed					
	Cla	ims, No.:						
	1-29	9	as originally filed					
	Dra	wings, sheets:						
	1/13	3-13/13	as originally filed					
		÷						
2.		With regard to the language , all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.						
	The	se elements were	available or furnished to this Authority in the following language: , which is:					
		the language of a	translation furnished for the purposes of the international search (under Rule 23.1(b)).					
		the language of pu	ublication of the international application (under Rule 48.3(b)).					
		the language of a 55.2 and/or 55.3).	translation furnished for the purposes of international preliminary examination (under Rule					
3.			cleotide and/or amino acid sequence disclosed in the international application, the ry examination was carried out on the basis of the sequence listing:					
		contained in the ir	nternational application in written form.					
		filed together with	the international application in computer readable form.					
		furnished subsequ	uently to this Authority in written form.					
		furnished subsequ	uently to this Authority in computer readable form.					
			at the subsequently furnished written sequence listing does not go beyond the disclosure in Application as filed has been furnished.					
		The statement the listing has been for	at the information recorded in computer readable form is identical to the written sequence urnished.					
4.	The	amendments have	e resulted in the cancellation of:					
		the description,	pages:					
		the claims,	Nos.:					

INTERNATIONAL PRELIMINARY **EXAMINATION REPORT**

International application No. PCT/US00/02198

	the drawings,	sheets:
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5.

This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

- 6. Additional observations, if necessary:
- V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- 1. Statement

Novelty (N)

Yes:

Claims 9-13.16.18,19

No:

Claims 1-8,14,15,17,20-29

Inventive step (IS)

Yes: No:

Claims

Claims 1-29

Industrial applicability (IA)

Yes:

Claims 1-29

No: Claims

2. Citations and explanations see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted: see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made: see separate sheet

INTERNATIONAL PRELIMINARY International application No. PCT/US00/02198 EXAMINATION REPORT - SEPARATE SHEET

Re Item VIII

Certain observations on the international application

- 1. The application does not meet the requirements of Article 6 PCT, because claims 1-4, 20, 26 and 27 are not clear.
- 1.1. Although the claims 1, 20, 26 and 27 have been drafted as separate independent product claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought or in respect of the terminology used for the features of that subject-matter. The aforementioned claims therefore lack conciseness.
 Moreover, lack of clarity of the claims as a whole arises, since the plurality of independent claims makes it difficult, if not impossible, to determine the matter for which protection is sought, and places an undue burden on others seeking to establish the extent of the protection.

In this case one claim per category is appropriate.

- 1.2. The applicant's attention is further drawn to the fact that the wording of claim 20 differs from that of claim 1 solely in that claim 20 refers to the method of claims 7-13.
 - It is presently not clear whether
 - a) one of claims 1 or 20 is simply redundant or if
 - b) by formulating two different claims having the same features the applicant indented to express that the hollow fiber membrane of claim 1 is not obtainable by the method of claims 7-13.
 - In any case a) or b) a lack of clarity would arise (Article 6 PCT).
- 1.3. In claims 1, 3, 4 and 20 it is attempted to characterise the subject-matter of said claims by the parameter "IPA flow time". The only reference in the description which is clearly related to the significance of this parameter is "Low flow times relate to higher membrane permeability and shorter filtration times" (cf. page 29, lines 11-12).
 - It is on the other hand not clear whether the information "The time interval to collect a set amount of IPA permeate is recorded" (cf. page 22, lines 28-29 under "Flow Rate Test") relates to the 'IPA flow time' at all.

INTERNATIONAL PRELIMINARY

International application No. PCT/US00/02198

EXAMINATION REPORT - SEPARATE SHEET

Since the parameter 'IPA flow time' is not clearly defined it introduces an ambiguity about the scope of claims 1, 3, 4 and 20 and, thus, is not suitable to characterize their subject-matter (and see point 1.4 below).

- 1.4. In claims 1, 3, 4 and 20 it is presently attempted to define a product, here a "hollow fiber porous membrane", by a parameter, i.e. the "IPA flow time". This is, however, only allowable in those cases where
 - A) those features cannot be adequately defined in any other way and
 - B) the corresponding parameters can be clearly and reliably determined either by indications in the description or by objective procedures which are usual in the art (cf. the PCT-Guidelines III-4.7a).

In this case neither the condition A) nor B) is met.

1.5. The term "about" used in claims 1, 2, 3, 20 and 27 is vague and indefinite and, as such, renders the claim unclear (Article 6 PCT), especially when used to characterize a range (cf. claim 27).

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- 1. Reference is made to the following documents:
 - D1: EP-A-0 343 247 (TORAY INDUSTRIES,INC) 29 November 1989 (1989-11-29) & US 5 158 680 A 27 October 1992 (1992-10-27) cited in the application
 - D2: EP-A-0 340 732 (MILLIPORE CORPORATION) 8 November 1989 (1989-11-08) & US 4 906 377 A 6 March 1990 (1990-03-06) cited in the application & US 4 990 294 A cited in the application & US 5 032 274 A cited in the application
 - D3: US-A-5 032 274 (L.Y.YEN ET AL) 16 July 1991 (1991-07-16) cited in the application.

The following document has come to the attention of the authorized officer: D4: US-A-5490931 (HOECHST CELANESE CORP.) 13 February 1996 (1996-02-

INTERNATIONAL PRELIMINARY International application No. PCT/US00/02198 EXAMINATION REPORT - SEPARATE SHEET

13).

- In so far as what can be understood from the claims (see point VIII above):
 The present application does not satisfy the criterion set forth in Article 33 (2) PCT because the subject-matter of claims 1-8, 14, 15, 17 and 20-29 is not new as defined in the regulations (Rule 64 (1)-(3) PCT).
- 2.1. Present claim 7 obviously refers to a wet spinning method of hollow fibers from perfluorinated thermoplastic polymers (cf. page 14, line 28 to page 15, line 8;), i.e. a method with "a portion of said die being submerged in a cooling bath" (claim 7, step b)) characterizing a "submerged extrusion" (page 15, line 7).

This method however is anticipated, independently from each other, by the methods disclosed in D1 (cf. col. 4, line 58 to col. 5, line 12), D2 (cf. page 3, line 36 to page 6, line 14; the examples; "The imbibing extraction liquid can also function as a quench medium such that the molten film or hollow fibers can be extruded directly into it", page 4, lines 5-6),D3 (cf. col. 4, lines 54-64) and D4 (cf. col. 4, lines 48-50, example 1).

According to D1, D2, D3 and D4 the produced membranes are of perfluorinated thermoplastic polymers (D1: col. 8, line 37 to col. 9, line 5; the claims; D2: see the citations above and claims 1, 4-7; D3: examples; claims; D4: col. 2, line 63 to col.3, line 24). D1 and D2 further disclose, independently from each other, the specific polymers as disclosed by present claims 14 and 15 and the bath liquid of present claim 17.

Thus, as D1, D2, D3 and D4, independently from each other, disclose all the technical features defined by the subject-matter of claims 7 and 8 of the present application, and D1, D2 and D3, independently from each other, further disclose all the technical features defined by the subject-matter of claims 14, 15 and 17 of the present application, said subject-matter is not new in respect of prior art as defined in the regulations (Rule 64(1)-(3) PCT).

2.2. It is an established physical principle that the same materials treated by the same process (se point 2.1 above) lead to the same products with identical technical properties.

INTERNATIONAL PRELIMINARY International application No. PCT/US00/02198 EXAMINATION REPORT - SEPARATE SHEET

In accordance with this principle and taking into account the teachings of D1, D2 and D3 (independently from each other) and the present application one would expect the products as disclosed by the present application and the prior art documents to have the same properties, including the IPA flow time (see present claims 1, 20) and the Sherwood- and Graetz numbers (see present claim 27). The prior art documents (see for example D3: col. 3, lines 4-14; col. 4, line 65 to col 5, line 26; col. 6, line 64 to col. 7, line 9; examples 1,3 and 6) further disclose both symmetric and asymmetric membranes.

Hence, as D1, D2 and D3, independently from each other, disclose all the technical features defined by the subject-matter of claims 1-6 and 20-29 of the present application, said subject-matter is not new in respect of prior art as defined in the regulations (Rule 64(1)-(3) PCT).

2.3. Presently it seems that dependent claims 9-13, 16, 18 and 19 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step.

Re Item VII

Certain defects in the international application

The applicant's attention is further drawn to the fact that presently the application lack unity since, the subject-matter of claims 1, 7, 20, 26 and 27 is not so linked as to form a single general inventive concept (Rule 13.1 PCT) since a technical relationship involving one or more of the same or corresponding special technical features in the sense of Rule 13.2 PCT does not exist between said subjects (see point V above)

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's	s or ag	ent's file reference			See Notifica	ation of Transmittal of Internat	tional
MCA-38	89 PC		FOR FURTHER A	ACTION Preliminary Examination Report (Form PCT/IPEA/416)			
Internation	nal app	lication No.	International filing date	ate (day/month/year) Priority date (day/month/year)			
PCT/US	00/02	2198	27/01/2000			29/01/1999	
Internation B01D71		ent Classification (IPC) or r	national classification and IF	PC			
Applicant							
MILLIPO	ORE C	CORPORATION et al	•				
			nination report has been according to Article 36.	prepared b	by this Inte	rnational Preliminary Exam	nining Authority
2. This	REPC	PRT consists of a total of	of 7 sheets, including thi	s cover she	et.		
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ı	×	Basis of the report	lating to the following ite	ms:			
II		•					
III IV				ovelty, inver	itive step a	and industrial applicability	
V	×	Lack of unity of invent Reasoned statement uncitations and explanat		egard to no ement	velty, inver	ntive step or industrial app	olicability;
VI		Certain documents cir					
VII	\boxtimes	Certain defects in the	international application				
VIII	Ø	Certain observations of	on the international appli	cation			
Date of sub	missio	n of the demand		Date of con	npletion of ti	his report	
10/08/20	00			10.04.2001			
preliminary examining authority: European Patent Office D-80298 Munich			Authorized			COS MICHICAL ILAGOREM AND STATE OF THE STATE	
		-49 89 2399 - 0 Tx: 52365 +49 89 2399 - 4465	ь ерти а	Tolophono	No. 40.00	2200 7510	BOATT STUD - STUDE THE

Telephone No. +49 89 2399 7519



International application No. PCT/US00/02198

I. Basis of the report

2.

3.

4.

1.	1. With regard to the elements of the international application (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)): Description, pages:				
	1-3	2	as originally filed		
	Cla	ims, No.:			
	1-2	9	as originally filed		
	Dra	wings, sheets:			
	1/13	3-13/13	as originally filed		
2.		-	uage, all the elements marked above were available or furnished to this Authority in the nternational application was filed, unless otherwise indicated under this item.		
	The	ese elements were a	available or furnished to this Authority in the following language: , which is:		
☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).					
☐ the language of publication of the international application (under Rule 48.3(b)).					
		the language of a t 55.2 and/or 55.3).	ranslation furnished for the purposes of international preliminary examination (under Rule		
 With regard to any nucleotide and/or amino acid sequence disclosed in the international application, tenternational preliminary examination was carried out on the basis of the sequence listing: 					
		contained in the int	ternational application in written form.		
		filed together with t	the international application in computer readable form.		
		furnished subsequ	ently to this Authority in written form.		
		furnished subseque	ently to this Authority in computer readable form.		
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosu the international application as filed has been furnished.					
		The statement that listing has been fur	the information recorded in computer readable form is identical to the written sequence rnished.		
4.	The	amendments have	resulted in the cancellation of:		
		the description,	pages:		
		the claims,	Nos.:		



International application No. PCT/US00/02198

		the drawings,	sheets:		
5.		•		-	ome of) the amendments had not been made, since they have bee as filed (Rule 70.2(c)):
		(Any replacement sho report.)	eet contai	ining such	amendments must be referred to under item 1 and annexed to this
6.	Ado	litional observations, if	necessa	ry:	
V.		asoned statement und tions and explanation			ith regard to novelty, inventive step or industrial applicability;
1.	Stat	tement			
	Nov	velty (N)	Yes: No:		9-13,16,18,19 1-8,14,15,17,20-29
	Inve	entive step (IS)	Yes: No:	Claims Claims	1-29
	Indu	ustrial applicability (IA)	Yes: No:	Claims Claims	1-29
2.	Cita	itions and explanations	5		

VII. Certain defects in the international application

see separate sheet

The following defects in the form or contents of the international application have been noted: see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made: see separate sheet

Re Item VIII

Certain observations on the international application

- 1. The application does not meet the requirements of Article 6 PCT, because claims 1-4, 20, 26 and 27 are not clear.
- 1.1. Although the claims 1, 20, 26 and 27 have been drafted as separate independent product claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought or in respect of the terminology used for the features of that subject-matter. The aforementioned claims therefore lack conciseness. Moreover, lack of clarity of the claims as a whole arises, since the plurality of independent claims makes it difficult, if not impossible, to determine the matter for which protection is sought, and places an undue burden on others seeking to establish the extent of the protection.

In this case **one** claim per category is appropriate.

1.2. The applicant's attention is further drawn to the fact that the wording of claim 20 differs from that of claim 1 solely in that claim 20 refers to the method of claims 7-13.

It is presently not clear whether

- a) one of claims 1 or 20 is simply redundant or if
- b) by formulating two different claims having the same features the applicant indented to express that the hollow fiber membrane of claim 1 is not obtainable by the method of claims 7-13.

In any case a) or b) a lack of clarity would arise (Article 6 PCT).

- 1.3. In claims 1, 3, 4 and 20 it is attempted to characterise the subject-matter of said claims by the parameter "IPA flow time". The only reference in the description which is clearly related to the significance of this parameter is "Low flow times relate to higher membrane permeability and shorter filtration times" (cf. page 29, lines 11-12).
 - It is on the other hand not clear whether the information "The time interval to collect a set amount of IPA permeate is recorded" (cf. page 22, lines 28-29 under "Flow Rate Test") relates to the 'IPA flow time' at all.

Since the parameter 'IPA flow time' is not clearly defined it introduces an ambiguity about the scope of claims 1, 3, 4 and 20 and, thus, is not suitable to characterize their subject-matter (and see point 1.4 below).

- 1.4. In claims 1, 3, 4 and 20 it is presently attempted to define a product, here a "hollow fiber porous membrane", by a parameter, i.e. the "IPA flow time". This is, however, only allowable in those cases where
 - A) those features cannot be adequately defined in any other way and
 - B) the corresponding parameters can be clearly and reliably determined either by indications in the description or by objective procedures which are usual in the art (cf. the PCT-Guidelines III-4.7a).
 - In this case neither the condition A) nor B) is met.
- 1.5. The term "about" used in claims 1, 2, 3, 20 and 27 is vague and indefinite and, as such, renders the claim unclear (Article 6 PCT), especially when used to characterize a range (cf. claim 27).

Re Item V

Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

- 1. Reference is made to the following documents:
 - D1: EP-A-0 343 247 (TORAY INDUSTRIES,INC) 29 November 1989 (1989-11-29) & US 5 158 680 A 27 October 1992 (1992-10-27) cited in the application
 - D2: EP-A-0 340 732 (MILLIPORE CORPORATION) 8 November 1989 (1989-11-08) & US 4 906 377 A 6 March 1990 (1990-03-06) cited in the application & US 4 990 294 A cited in the application & US 5 032 274 A cited in the application
 - D3: US-A-5 032 274 (L.Y.YEN ET AL) 16 July 1991 (1991-07-16) cited in the application.

The following document has come to the attention of the authorized officer: D4: US-A-5490931 (HOECHST CELANESE CORP.) 13 February 1996 (1996-02**EXAMINATION REPORT - SEPARATE SHEET**

13).

- 2. In so far as what can be understood from the claims (see point VIII above): The present application does not satisfy the criterion set forth in Article 33 (2) PCT because the subject-matter of claims 1-8, 14, 15, 17 and 20-29 is not new as defined in the regulations (Rule 64 (1)-(3) PCT).
- 2.1. Present claim 7 obviously refers to a wet spinning method of hollow fibers from perfluorinated thermoplastic polymers (cf. page 14, line 28 to page 15, line 8;), i.e. a method with "a portion of said die being submerged in a cooling bath" (claim 7, step b)) characterizing a "submerged extrusion" (page 15, line 7).

This method however is anticipated, independently from each other, by the methods disclosed in D1 (cf. col. 4, line 58 to col. 5, line 12), D2 (cf. page 3, line 36 to page 6, line 14; the examples; "The imbibing extraction liquid can also function as a quench medium such that the molten film or hollow fibers can be extruded directly into it", page 4, lines 5-6),D3 (cf. col. 4, lines 54-64) and D4 (cf. col. 4, lines 48-50, example 1).

According to D1, D2, D3 and D4 the produced membranes are of perfluorinated thermoplastic polymers (D1: col. 8, line 37 to col. 9, line 5; the claims; D2: see the citations above and claims 1, 4-7; D3: examples; claims; D4: col. 2, line 63 to col.3, line 24). D1 and D2 further disclose, independently from each other, the specific polymers as disclosed by present claims 14 and 15 and the bath liquid of present claim 17.

Thus, as D1, D2, D3 and D4, independently from each other, disclose all the technical features defined by the subject-matter of claims 7 and 8 of the present application, and D1, D2 and D3, independently from each other, further disclose all the technical features defined by the subject-matter of claims 14, 15 and 17 of the present application, said subject-matter is not new in respect of prior art as defined in the regulations (Rule 64(1)-(3) PCT).

2.2. It is an established physical principle that the same materials treated by the same process (se point 2.1 above) lead to the same products with identical technical properties.

EXAMINATION REPORT - SEPARATE SHEET

In accordance with this principle and taking into account the teachings of D1, D2 and D3 (independently from each other) and the present application one would expect the products as disclosed by the present application and the prior art documents to have the same properties, including the IPA flow time (see present claims 1, 20) and the Sherwood- and Graetz numbers (see present claim 27). The prior art documents (see for example D3: col. 3, lines 4-14; col. 4, line 65 to col 5, line 26; col. 6, line 64 to col. 7, line 9; examples 1,3 and 6) further disclose both symmetric and asymmetric membranes.

Hence, as D1, D2 and D3, independently from each other, disclose all the technical features defined by the subject-matter of claims 1-6 and 20-29 of the present application, said subject-matter is not new in respect of prior art as defined in the regulations (Rule 64(1)-(3) PCT).

2.3. Presently it seems that dependent claims 9-13, 16, 18 and 19 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step.

Re Item VII

Certain defects in the international application

The applicant's attention is further drawn to the fact that presently the application lack unity since, the subject-matter of claims 1, 7, 20, 26 and 27 is not so linked as to form a single general inventive concept (Rule 13.1 PCT) since a technical relationship involving one or more of the same or corresponding special technical features in the sense of Rule 13.2 PCT does not exist between said subjects (see point V above)



PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference	FOR FURTHER see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.											
MCA-389 PC	- ACTION											
International application No.	International filing date (day/month/year)	(Earliest) Priority Date (day/month/year)										
PCT/US 00/02198 /	27/01/2000	29/01/1999										
Applicant												
MYLL TROPE CORRECTION :												
MILLIPORE CORPORATION et al.												
This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.												
Jan 12.1.1 Supplied Boning III												
This International Search Report consists		ranad										
X It is also accompanied by	a copy of each prior art document cited in this	repoπ.										
Basis of the report												
a. With regard to the language, the	international search was carried out on the bas	sis of the international application in the										
	less otherwise indicated under this item.											
the international search w Authority (Rule 23.1(b)).	as carried out on the basis of a translation of the	ne international application furnished to this										
b. With regard to any nucleotide an		nternational application, the international search										
was carried out on the basis of the contained in the internation	e sequence listing: onal application in written form.											
	ernational application in computer readable form	n.										
furnished subsequently to	this Authority in written form.											
	this Authority in computer readble form.											
the statement that the sul international application a	bsequently furnished written sequence listing does iled has been furnished.	loes not go beyond the disclosure in the										
		s identical to the written sequence listing has been										
2. Certain claims were fou	ind unsearchable (See Box I).											
3. Unity of invention is lac												
_												
4. With regard to the title ,												
the text is approved as su	•											
the text has been establis	shed by this Authority to read as follows:											
5. With regard to the abstract,	With regard to the abstract,											
the text is approved as su		ty as it appears in Box III. The applicant may										
the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.												
6. The figure of the drawings to be public	lished with the abstract is Figure No.											
as suggested by the appli	icant.	None of the figures.										
because the applicant fail												
because this figure better	r characterizes the invention.											

INTERMIONAL SEARCH REPORT

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 B01069/08 B011 B01D67/00 B01D71/36 D01D5/24 According to International Patent Classification (IPC) or to both national classification and IPC **B. FIELDS SEARCHED** Minimum documentation searched (classification system followed by classification symbols) IPC 7 B01D DO1D Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched Electronic data base consulted during the international search (name of data base and, where practical, search terms used) WPI Data, PAJ, EPO-Internal C. DOCUMENTS CONSIDERED TO BE RELEVANT Category ° Citation of document, with indication, where appropriate, of the relevant passages Relevant to claim No. Α US 5 032 274 A (L.Y.YEN ET AL) 1-6#6 July 1991 (1991-07-16) cited in the application claims; examples Α EP 0 343 247 A (TORAY INDUSTRIES, INC) 1 - 2929 November 1989 (1989-11-29) claims; examples & US 5 158 680 A 27 October 1992 (1992-10-27) cited in the application 7-19 Α US 4 990 294 A (L.Y.YEN ET AL) 5 February 1991 (1991-02-05) cited in the application claims; examples Further documents are listed in the continuation of box C. Patent family members are listed in annex. X Special categories of cited documents: "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the "A" document defining the general state of the art which is not considered to be of particular relevance "E" earlier document but published on or after the international "X" document of particular relevance; the claimed invention filing date cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone "L" document which may throw doubts on priority claim(s) or hich is cited to establish the publication date of another "Y" document of particular relevance; the claimed invention citation or other special reason (as specified) cannot be considered to involve an inventive step when the document is combined with one or more other such docu-"O" document referring to an oral disclosure, use, exhibition or ments, such combination being obvious to a person skilled in the art. other means "P" document published prior to the international filing date but later than the priority date claimed "&" document member of the same patent family Date of the actual completion of the international search Date of mailing of the international search report 19/07/2000

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11 July 2000 Name and mailing address of the ISA

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European Patent Office, P.B. 5818 Patentiaan 2 NL – 2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,

Cordero Alvarez, M

Authorized officer





C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT	
Category ° Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
EP 0 340 732 A (MILLIPORE CORPORATION) 8 November 1989 (1989-11-08) claims; examples & US 4 906 377 A 6 March 1990 (1990-03-06) cited in the application & US 4 990 294 A cited in the application & US 5 032 274 A cited in the application	1-29
A V US 4 902 456 A (L.Y.YEN ET AL) 20 February 1990 (1990-02-20) claims; examples	7-19
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INTERNATIONAL SEARCH REPORT

on patent family members

Internal Application No PC17US 00/02198

				L		00/02198
Patent document cited in search report		Publication date	F	Patent family member(s)		Publication date
US 5032274	Α	16-07-1991	US US DE DE EP JP JP JP JP	49024 49902 689233 689233 03407 25480 80348 22083 25735 49063	94 A 19 D 19 T 32 A 92 B 74 A 29 A 24 B	20-02-1990 05-02-1991 10-08-1995 04-01-1996 08-11-1989 30-10-1996 06-02-1996 17-08-1990 22-01-1997 06-03-1990
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EP 340732	Α	08-11-1989	US DE JP JP JP US US	49024 689233 689233 25480 80348 22083 25735 49063 49902 50322	19 D 19 T 192 B 174 A 129 A 124 B 177 A	20-02-1990 10-08-1995 04-01-1996 30-10-1996 06-02-1996 17-08-1990 22-01-1997 06-03-1990 05-02-1991 16-07-1991
US 4902456	А	20-02-1990	DE DE EP JP JP JP US US	689233 689233 03407 25480 80348 22083 25735 49063 49902 50322	319 T 732 A 992 B 874 A 829 A 824 B 877 A	10-08-1995 04-01-1996 08-11-1989 30-10-1996 06-02-1996 17-08-1990 22-01-1997 06-03-1990 05-02-1991 16-07-1991